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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/628,506 | 07/29/2003 | Giovanni Antonio Coscia | P69019US0 | 5072 |

136 7590 04/20/2005

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| EXAMINER |
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HEITBRINK, TIMOTHY W

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| ART UNIT | PAPER NUMBER |
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1722

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,506

Applicant(s)

COSCIA, GIOVANNI ANTONIO

Examiner

Tim Heitbrink

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-21-03.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

The disclosure is objected to because of the following informalities: page 12, lines 17 and 27, "chambers 114" or "impressions 114."

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor (US Patent 4,089,926).

Taylor discloses an injection molding system for a material vulcanizable by heat comprising a mold for molding impressions fed from channels 52 for feeding the material in the fluid material and means 84,85 having a resistive heater 87 for vulcanizing the material in the impressions, the mold is separable into a first portion containing first sections of the feeding channels and a second portion 10,20 containing end sections of the feeding channels and the molding impressions, the vulcanizing means comprising said element 87 that is interposed in contact between said first and second mold portions, wherein the element 87 brings the material in the impressions to a temperature adapted to vulcanize the material in the impressions and thermoregulating means 83a maintaining the element surface 81,82 coming in contact with the first portion to avoid vulcanization in the first channel sections. The first mold portion extending into the second mold as shown in Fig. 4.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor as applied to claims 1-5, 7 and 13-15 above, and further in view of Fazekas et al. (US Patent 3,876,356).

While the coolings ducts 83a and electric resistance element 87 of Taylor are not positioned between an insulating layer, Fazekas et al. in the same field of endeavor discloses an insulation layer 76 between a heating plate 72 and a cooling plate 74 to be conventional in order to eliminate heat transfer between the two layers. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an insulation layer between the cooling ducts 83a and heater element 87 of Taylor in order to eliminate heat transfer between the two layers as suggested by Fazakas et al.

Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor as applied to claims 1-5, 7, 13-15 above, and further in view of German Patent 3122566.

While Taylor does not disclose projections extending into the feeding channels that feed the mold cavities so that the feeding channels are emptied when the material solidifies, German Patent 3122566 discloses in the same field of endeavor projections

(Fig. 4) extending into feed channels 16 that feed mold cavities 17 so that the feed channels are emptied when the material solidifies.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide projections extending into the feeding channels of Taylor that feed the mold cavities so that the feeding channels are emptied when the material solidifies as suggested by German Patent 3122566. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Heitbrink whose telephone number is 571-272-1132. The examiner can normally be reached on Tuesday-Friday 5:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ben Utech can be reached on 571-272-1137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tim Heitbrink
Primary Examiner
Art Unit 1722

4-15-05